

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)	
	)	No. 1:21-cr- 204-LM-01/02
v.)	
	)	Wire Fraud
JESSICA PECHTEL and	)	(18 U.S.C. § 1343)
ANDREW PECHTEL,	)	(Counts 1–15)
)	
	)	Conspiracy to Commit Wire Fraud
Defendants.	)	(18 U.S.C. §§ 1349, 1343)
	)	(Count 16)
)	
	)	Aggravated Identity Theft
	)	(18 U.S.C. § 1028A)
	)	(Count 17)
_____)	

INDICTMENT

THE GRAND JURY CHARGES:

COUNTS ONE THROUGH FIFTEEN

[18 U.S.C. § 1343 – Wire Fraud]

Introduction

At all times relevant to Counts One through Fifteen of this Indictment:

1. From in or around August 3, 2016 to in or around March 3, 2021, the defendant, JESSICA PECHTEL, was employed by Corp1 as an office/marketing administrator and office manager.
2. The defendant, ANDREW PECHTEL, was JESSICA PECHTEL’s husband and they lived together in the state of Maine.
3. Corp1 was a business located in Somersworth, New Hampshire, and maintained two bank accounts at First Seacoast Bank, with account numbers ending in 2117 and 3024.

4. Employee 1 worked for Corp1 from in or around 1994 until in or around March 2020. Employee 1 had a company credit card in her name with an account number ending in 2454 (the “2454 company credit card”).

5. As office manager, JESSICA PECHTEL had full access to Corp1’s finances, including its QuickBooks account, bank account, and the 2454 company credit card.

6. JESSICA and ANDREW PECHTEL maintained a joint account at First Seacoast Bank, with an account number ending in 9234. They also maintained a joint account with Atlantic Federal Credit Union, with an account number ending in 6233.

7. First Seacoast Bank is a New Hampshire-based bank. Its servers are located in the state of New Hampshire.

8. Atlantic Federal Credit Union is a Maine-based credit union. Its servers are located in the state of Maine.

9. PayPal and Venmo are online services that allow individuals and businesses with PayPal or Venmo accounts to transfer money from bank accounts or credit cards to other individuals or businesses that also have PayPal or Venmo accounts. PayPal owns Venmo. PayPal does not maintain servers in the state of New Hampshire.

The Scheme

10. Beginning at an unknown date but at least from in or around January 2019 and continuing through at least in or around March 2021, JESSICA and ANDREW PECHTEL knowingly and willfully devised and intended to devise a scheme to defraud Corp1, and to obtain money and property from Corp1 by means of materially false and fraudulent pretenses, representations, and promises.

11. Between in or about January 2019 through in or about March 2021, JESSICA PECHTEL used her access to Corp1's bank accounts and credit cards to transfer money from Corp1 to accounts she and ANDREW controlled, to make personal purchases, and to pay her and ANDREW's bills.

12. In furtherance of the scheme and for the purpose of executing the scheme, JESSICA PECHTEL wrote checks, made wire and other transfers, and used PayPal and other money transfer services to fraudulently transfer money from Corp1's accounts into accounts she and ANDREW controlled, to make personal purchases, and to pay her and ANDREW's bills. For example, between about November 2020 and about December 2020, JESSICA made ten transfers totaling more than \$29,000 from Corp1's 2117 First Seacoast Bank account to her and ANDREW's joint Atlantic Federal Credit Union account. For each of these transfers, JESSICA disguised the payee so it appeared on Corp1's records that the payment was going to a legitimate entity with which Corp1 does business.

13. In furtherance of the scheme and for the purpose of executing the scheme, JESSICA PECHTEL also used Employee 1's name and credit card. For example, in or around May 2019, JESSICA opened a PayPal account associated with her own email address but using Employee 1's name and the 2454 company credit card. JESSICA then used this PayPal account to make personal purchases charged to the 2454 company credit card, including, for example, purchasing a boat in or around July 2020.

14. In furtherance of the scheme and for the purpose of executing the scheme, ANDREW received PayPal and Venmo transfers drawn from Employee 1's 2454 company credit card into his PayPal and Venmo accounts. ANDREW then transferred these

fraudulently obtained funds from his accounts to one of JESSICA's PayPal or Venmo accounts or to their joint bank accounts. For example, on or about February 11, 2020, ANDREW received a \$2,572.80 PayPal transfer from Employee 1's 2454 company credit card. That same day, ANDREW transferred \$2,490 to his and JESSICA's First Seacoast Bank account ending in 9234.

15. Through the scheme, the PECHTELS also stole money Corp1 received as part of the COVID-19 relief under the CARES Act. For example, Corp1 applied for and received a Paycheck Protection Program ("PPP") loan under the CARES Act. On or about February 9, 2021, Corp1 received a PPP loan of approximately \$58,000. Beginning on or about February 9, 2021 and continuing through on or about February 25, 2021, JESSICA made multiple transfers of more than \$43,000, to pay her and ANDREW's bills or to bank accounts she and ANDREW controlled.

16. Through this scheme, the PECHTELS stole more than \$580,000 from Corp1. They used this money to pay rent and other bills, and to make personal purchases, including a boat, an RV, and other vehicles.

Wires in Furtherance of the Scheme

17. On or about the dates charted below, in the District of New Hampshire and elsewhere, the defendant,

JESSICA PECHTEL,

for the purpose of executing the scheme described above, and attempting to do so, did cause to be transmitted by means of wire communication in interstate commerce writings, signs, and signals, namely, the following transfers:

Count	Date	Amount	Account Transferred From	Account Transferred To
1	11/25/2020	\$3,105.00	FSB Account 2117	AFCU Account 6233
2	12/1/2020	\$2,562.50	FSB Account 2117	AFCU Account 6233
3	12/16/2020	\$1,512.50	FSB Account 2117	AFCU Account 6233
4	12/16/2020	\$2,792.50	FSB Account 2117	AFCU Account 6233
5	12/16/2020	\$4,000.00	FSB Account 2117	AFCU Account 6233
6	12/17/2020	\$3,275.00	FSB Account 2117	AFCU Account 6233
7	12/21/2020	\$3,150.00	FSB Account 2117	AFCU Account 6233
8	12/22/2020	\$3,095.00	FSB Account 2117	AFCU Account 6233
9	12/31/2020	\$2,845.00	FSB Account 2117	AFCU Account 6233
10	12/31/2020	\$3,095.00	FSB Account 2117	AFCU Account 6233

18. On or about the dates charted below, in the District of New Hampshire and elsewhere, the defendant,

ANDREW PECHTEL,

for the purpose of executing the scheme described above, and attempting to do so, did cause to be transmitted by means of wire communication in interstate commerce writings, signs, and signals, namely, the following transfers:

Count	Date	Amount	Account Transferred From	Account Transferred To
11	2/11/2020	\$2,490.00	PayPal Account 1788	FSB Account 9234
12	5/18/2020	\$1,990.00	Venmo Account 0160	FSB Account 9234
13	6/27/2020	\$1,490.00	Venmo Account 0160	FSB Account 9234
14	7/21/2020	\$1,990.00	Venmo Account 0160	FSB Account 9234
15	8/27/2020	\$2,490.00	Venmo Account 0160	FSB Account 9234

All in violation of Title 18, United States Code, Section 1343.

COUNT SIXTEEN

[18 U.S.C. §§ 1343, 1349 – Conspiracy to Commit Wire Fraud]

19. The Grand Jury realleges paragraphs 1 through 16.

20. Beginning at an unknown date but at least from in or around January 2019 and continuing through at least in or around March 2021, in the District of New Hampshire and elsewhere, the defendants,

JESSICA PECHTEL and
ANDREW PECHTEL,

did knowingly and willfully conspire and agree with each other to commit the offense of Wire Fraud in violation of Title 18, United States Code, Section 1343, namely, having devised a scheme and artifice to defraud Corp1 and to obtain money and property belonging to Corp1 by means of false and fraudulent pretenses, and for the purpose of executing the scheme and artifice, to cause to be transmitted by means of wire communication in interstate commerce writings, signs, and signals.

All in violation of Title 18, United States Code, Sections 1349 and 1343.

COUNT SEVENTEEN
[Aggravated Identity Theft, 18 U.S.C. § 1028A]

21. From in or around May 2019 through in or around July 2020, in the District of New Hampshire and elsewhere, the defendant,

JESSICA PECHTEL,

during and in relation to the felony offense of conspiracy to commit wire fraud in violation of Title 18, United States Code, Sections 1349 and 1343, as alleged in Count 16 of this indictment, knowingly possessed and used, without lawful authority, means of identification—including the name and credit card number—of Employee 1.

All in violation of Title 18, United States Code, Section 1028A.

NOTICE OF CRIMINAL FORFEITURE

Upon conviction of one or more of the offenses set forth in Counts One through Seventeen of this Indictment, the defendants, JESSICA PECHTEL and ANDREW PECHTEL, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c), and 18 U.S.C. § 982(a)(2)(B), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense, including, but not limited to: \$587,219.00, the sum of money equal to the proceeds the defendants received as a result of the charged offenses.

If any of the property described above, as a result of any act or omission of the defendants: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been substantially diminished in value; or (e) has been commingled with other property which cannot be divided without difficulty, the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c).

A TRUE BILL

Date: December 20, 2021

/s/ Grand Jury Foreperson

Grand Jury Foreperson

JOHN J. FARLEY
Acting United States Attorney

/s/ Matthew T. Hunter

Matthew T. Hunter
Assistant United States Attorney